

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

# **SENATE BILL 1341**

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-215; RELATING TO THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 2, article 1, Arizona Revised Statutes,  
3 is amended by adding section 15-215, to read:

4       15-215. *Code of conduct: school employees*

5       A. NO LATER THAN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION,  
6 THE STATE BOARD OF EDUCATION SHALL RECOMMEND TO EACH SCHOOL DISTRICT  
7 GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY A CODE OF CONDUCT FOR  
8 EMPLOYEES OF SCHOOL DISTRICTS AND CHARTER SCHOOLS. THE RECOMMENDATIONS FOR  
9 CERTIFICATED AND NONCERTIFICATED EMPLOYEES SHALL INCLUDE, AT A MINIMUM, THE  
10 DESCRIPTIONS OF CONDUCT DEEMED UNPROFESSIONAL AND IMMORAL PURSUANT TO ANY  
11 APPLICABLE RULES ADOPTED BY THE STATE BOARD OF EDUCATION.

12     B. EACH SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING  
13 BODY MAY ADOPT IN A PUBLIC MEETING THE CODE OF CONDUCT RECOMMENDATION  
14 PURSUANT TO SUBSECTION A OR ADOPT IN A PUBLIC MEETING AN AMENDMENT TO THE  
15 RECOMMENDATION TO FIT THE NEEDS OF THE SCHOOL DISTRICT OR CHARTER SCHOOL.

16     C. EACH SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING  
17 BODY THAT ADOPTS A CODE OF CONDUCT PURSUANT TO THIS SECTION SHALL POST THE  
18 ADOPTED CODE OF CONDUCT ON ITS WEBSITE, IF AVAILABLE, OR DISSEMINATE THE CODE  
19 OF CONDUCT THROUGH PRINTED MATERIALS TO EACH EMPLOYEE OF THE SCHOOL DISTRICT  
20 OR CHARTER SCHOOL ON AN ANNUAL BASIS. THE EMPLOYEE SHALL ACKNOWLEDGE IN  
21 WRITING DURING THE HIRING PROCESS THAT THE EMPLOYEE HAS RECEIVED THE WEBSITE  
22 ADDRESS WHERE THE ADOPTED CODE OF CONDUCT IS POSTED OR A COPY OF THE PRINTED  
23 CODE OF CONDUCT PROVIDED TO THE EMPLOYEE BY THE SCHOOL DISTRICT OR CHARTER  
24 SCHOOL.

25     D. IF A SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING  
26 BODY DOES NOT ADOPT A CODE OF CONDUCT RECOMMENDED BY THE STATE BOARD OF  
27 EDUCATION OR ADOPTS A CODE OF CONDUCT THAT IS DIFFERENT FROM THE CODE OF  
28 CONDUCT RECOMMENDED BY THE STATE BOARD OF EDUCATION, THE TRIER OF FACT:

29       1. SHALL NOT CONSIDER THE CODE OF CONDUCT RECOMMENDED BY THE STATE  
30 BOARD OF EDUCATION IN THE DETERMINATION OF THE EXISTENCE AND EXTENT OF CIVIL  
31 LIABILITY OF THE SCHOOL DISTRICT, THE CHARTER SCHOOL OR THE OFFICERS OR  
32 EMPLOYEES OF THE SCHOOL DISTRICT OR CHARTER SCHOOL.

33       2. MAY CONSIDER THE POLICIES AND PROCEDURES ADOPTED BY THE SCHOOL  
34 DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY IN THE  
35 DETERMINATION OF THE EXISTENCE AND EXTENT OF CIVIL LIABILITY OF THE SCHOOL  
36 DISTRICT, THE CHARTER SCHOOL OR THE OFFICERS OR EMPLOYEES OF THE SCHOOL  
37 DISTRICT OR CHARTER SCHOOL.